

Summary Minutes
City of Sedona
Planning & Zoning Commission Work Session
Vultee Conference Room, Sedona City Hall, Sedona, AZ
Thursday, April 29, 2010 - 3:30 p.m.

1. Verification of Notice, Call to Order, and Roll Call. (5 minutes 3:30 – 3:35)

Vice Chairman Griffin called the work session to order at 3:30 p.m.

Roll Call:

Planning & Zoning Commissioners: Chairman Gillon - excused, Vice Chairman Griffin and Commissioners James Eaton, Michael Hadley - excused, Marty Losoff, Alain Soutenet and Norm Taylor

Staff: Andy Dickey, Beth Escobar, Nick Gioello, John O'Brien and David Peck

2. Introduction/discussion regarding the agenda items for the regularly scheduled meeting of Tuesday, June 1, 2010: (15 minutes 3:35 - 3:50)

A. Request for a three-year Time Extension of the previously approved Zone Change (ZC2007-1) and Development Review (DEV2007-1) for The Falls at Oak Creek, a proposed 47-unit condominium development located on two parcels totaling approximately 3.88 acres located at 1156 Highway 179, site of the Oak Creek Mobile Lodge. Current zoning is RS-18b (Single-family Residential) with a legal non-conforming use as a mobile home park. The properties are further identified as Assessor's Parcel Numbers: 401-26-011A & 401-26-019B. Applicant: Campbell Family Trust. Case Number: TE2010-1

Beth Escobar indicated that this project was approved in 2007 for 47 condominium units at the location of the existing Oak Creek Mobile Lodge, and the applicant is requesting an extension. Copies of the applicant's letter have been provided, and staff has received greater detail regarding the applicant's financial investment that will be provided at the hearing in June. Beth also pointed out that she had provided copies of the original Staff Report to the Commissioners and she offered to review the project and visit the site with new Commissioners.

COMMISSION'S QUESTIONS AND COMMENTS:

Commissioner Losoff indicated that it sounds like a reasonable request and his only issue, in general, is that the Commission previously discussed if some criteria should be created, because we could be all over the board, and he is not sure that would be fair to all of the applicants. Last time, we approved one that was indefinite and we have given two years; this one is requesting three years. The Commissioner suggested having an agenda item to discuss what is reasonable. He understands not everyone could be addressed with a cookie-cutter and we may need to look at each one individually, but we should have some criteria, so people don't say we are fair with one and not another or that we play favorites.

Beth asked if the Commissioners wanted that agenda item before this item goes to a hearing and Vice Chairman Griffin indicated that it would be good to give Legal an opportunity to research it; however, Commissioner Losoff explained that his concern is more from a fairness point-of-view, when one developer is given an unlimited opportunity to build and another is given two years. The Vice Chairman pointed out that there were different circumstances, and the Commissioner indicated that he didn't know if it would have to predicate this request or not, but he would suggest it would be nice to have some overall discussion soon.

John O'Brien asked if the Commissioner's concern was the lack of a definite timeframe and the Commissioner clarified that it is why we give somebody two or three years and another an unlimited time. John O'Brien then confirmed with the Commissioner that it would be some guidelines to use, rather than an ordinance. The Vice Chairman pointed out that there are guidelines, such as a defined extension for a Preliminary Plat; however, it would be good to look at what we have in place now and have a discussion.

Commissioner Soutenet asked how far along this project is and Beth explained that it had received a Zone Change and Preliminary Plat approval from the City Council. They couldn't proceed without Final Plat approval and Recording, which they have three years to do, following the initial approval. The Commissioner asked if it is likely that in three years, it would be back due to new ordinances, etc. Beth explained that according to the criteria, it could be subject to changes in the ordinance, and since this is just your intro discussion, not a lot of information has been provided, but she can focus on those questions in her Staff Report.

Commissioner Eaton indicated he shares Commissioner Losoff's concerns; we are at risk of falling into the term "arbitrary and capricious". The Commissioner then asked if the request is for three years beyond the previous approval or from now, and Beth explained it would be from the expiration date in August of 2010.

Vice Chairman Griffin recalled that this project went through quite a lengthy process; Beth noted that there were two Conceptual Reviews. The Vice Chairman added that there were a lot of neighbors involved and it was a very comprehensive project. Nick Gioello recalled that it changed in design at least three times, and everyone went to the site. The Vice Chairman indicated that the architect, Jay Blatter, was amazing and it was well thought out.

Commissioner Losoff agreed that at the time of approval we said how well thought out and responsive they were, so he is not questioning the project; it is just the process. The Vice Chairman agreed that we aren't really talking about the project as much as the process for an extension and Beth indicated staff would get that on an agenda.

3. Discussion regarding the agenda items for the regularly scheduled meeting of Tuesday, May 4, 2010: (60 minutes 3:50 – 4:50)

- A. Discussion/possible action regarding a request for a Conditional Use Permit for the Sedona Community Farmer's Market, an outdoor farmer's market at the Sedona Airport to be held on two days a week during the summer season and one day a week during the winter season. The Farmer's Market has been operating at this location for approximately a year under a Temporary Use Permit. The Farmer's Market has had an average of 35 vendors selling local products and crafts. The subject property is currently zoned CF (Community Facilities) and is approximately 221 acres. The Farmer's Market is located on an approximately one-acre portion of the site, directly opposite the scenic overlook off of Airport Road. The property is further identified as Assessor's Parcel Number: 408-27-001. Applicant: Sedona Community Farmer's Market. Case Number: CUP 2010-01**

Beth Escobar indicated that the applicant had provided a more detailed site plan per the Commission's previous request, and it shows the maximum number of booths that can be set up. She also explained that traffic cones are set for every market and the applicant tries to have a volunteer assist with directing traffic. There was also some additional public input, and the market will be there Sunday, if any Commissioner wants to go there. Last Sunday was goat day, so some baby goats were there.

COMMISSION'S QUESTIONS AND COMMENTS:

Commissioner Soutenet asked for clarification on Condition of Approval #11 on page 10 of the report that says that live animals should be located away from any food or produce vendors, and Beth explained that those comments were directly from the Yavapai County Health Department official, and it means that, for example, you couldn't have a sample vegetable plate next to the goats, and that is why the applicant is providing the hand sanitation stations throughout the project. The official visits on a regular basis to ensure that they are in compliance. The Commissioner indicated that it isn't very specific the way it is worded and Beth explained that is the official's comment, but if the Commissioner wanted to fine tune it, we could do that. Commissioner Soutenet pointed out that it implies that pets wouldn't be welcome, so for the next meeting, we should try to clarify that item.

Vice Chairman Griffin explained it is coming from the County Health Department and Beth indicated she can discuss it with Yavapai County, but she isn't sure if the Commissioner doesn't want it to preclude pets. The Commissioner clarified that he wouldn't want the County to say people couldn't have their pets there. Beth indicated she would get some clarification.

Applicant, Katrin Themlitz, Director of the Farmer's Market, Sedona, AZ: Indicated that a lot of the rules are based on rules for pre-existing markets, and this is mostly based on the oldest market in Yavapai County, which is the Prescott Market, where it is common that pets are allowed at that market; however some markets have rules that only nice pets are allowed. She collaborated with the Humane Society last summer to give them a booth for pet adoptions, and it was very well received. It might be an issue to put a sign up, because they have had very large dogs there at times, but there haven't been any problems.

Commissioner Eaton indicated that the Yavapai County Health Department needs to legally quantify the word "away", is it 10 ft. or 50 yds? Commissioner Taylor indicated that he assumes that they would have to contact ADOT to put a sign in the right-of-way, but asked if they could put a sign off of their right-of-way. Beth indicated no, because our code doesn't allow off-premise signs. Commissioner Taylor then confirmed with Beth that there is no way they could put a sign there other than through ADOT and asked if that is because other businesses would want to do that. Beth explained that is the underlying intent of the ordinance, so the city isn't lined with billboards and signs; you can't make an exception for just one.

Commissioner Losoff indicated this is for a Conditional Use Permit for seasonal, and asked about the definition for winter and summer. Beth explained that it is in broad parameters with mid-May to October and then October to mid-May, and the applicant would prefer to keep them broad, because she works closely with the growers and the crops may come in a little later. As she sets-up, she will notify the City of her start and end dates. The Commissioner noted that it is possible that it could be 12 months and Beth agreed and pointed out that has been seen under the Temporary Use Permit, because it is so popular, and she now has a good connected network with the produce people, so it could run all year.

Applicant, Katrin Themlitz, Director of the Farmer's Market, Sedona, AZ: Indicated that the long-term vision is to keep it open year-around. The venue is being created to increase local production, and then have the opportunity for the growers to bring it to market.

Vice Chairman Griffin indicated he is totally supportive, but his question is that in the winter months you are obviously pulling growers from down South, and asked if there is any way to give preference to local growers, so we don't just have the people who were there all winter. The applicant explained that as local production increases, the Verde Valley vendors will

always have priority and that is very clear. She hasn't written it in the rules at this point, but she is modifying the rules now and people know that this is a market for local people, so it would be the obvious choice to support that. The Vice Chairman indicated that he thought all of the Commissioners would support that, so maybe on Tuesday night, the applicant could state that is the purpose of Sedona's Farmer's Market. The applicant indicated she has been collaborating with farmer's markets across Northern Arizona and in downtown Phoenix, and they grow different produce, because their seasons are almost reversed. The umbrella is for Arizona produce markets to increase local production, so at the end of May, a grower will be coming from the Phoenix area with okra, melons, etc., and to really embrace diversity, there will be room for some of those growers, but there are so few growers in all of Arizona right now, she doesn't believe it will be a problem, although local always comes first.

Commissioner Soutenet indicated that the signage issue is limiting in terms of getting the community to know that the market exists. The Commissioner confirmed that she is currently in the process of becoming a non-profit and asked if there would be tools from the City to promote the market. Beth indicated that if staff receives that direction, a link could be placed on the City's website and Parks & Rec. does an e-newsletter and it could be rolled into that. John O'Brien added that if the Commission approves this on Tuesday, that issue could be raised in the motion to have staff look into that with the City Manager's Office. Commissioner Soutenet indicated he thinks it would be great.

Commissioner Eaton noted that off-premise signs can be a real quagmire, when in a competitive situation. He was one of the authors of the original Sign Code and carrying it out to its logical conclusion, there would be signs every 10 ft. on the highway; it could be a mess, so he would oppose that. Vice Chairman Griffin asked if the sign they use now is not really legal and the applicant indicated that is correct and noted that the Elk Club puts up its sign too. Vice Chairman Griffin acknowledged that and explained that unfortunately there isn't an avenue to do that and ADOT is probably not going to change. Commissioner Soutenet indicated that is the reason we should use other ways to promote the market.

The Vice Chairman indicated that it is curious that there is a sign at the bottom of Airport Road that advertises the airport and airport restaurant, etc., that is a grandfathered sign, but the signage on it . . .; he then asked how we do it when those banners are put up for the park. John O'Brien explained there are banner permits that are temporary. The Vice Chairman pointed out that you can get a temporary permit for events at Posse Grounds that are on a non-conforming sign and it is an off-premise sign, so he asked what the difference would be. Commissioner Eaton noted that it is non-competitive, non-commercial. The Vice Chairman then noted that she has a non-profit status. John O'Brien explained that banners are for special events, whereas, this would be ongoing every week and Beth also noted that there is a time limit. Nick Gioello indicated that the State has passed a law that sign walkers are allowed; however, John O'Brien pointed out that the City has adopted a code saying that it has to be in front of the business.

B. Discussion/possible action regarding Discussion/possible action regarding a request for Subdivision Preliminary Plat and Development Review for the Centrum and the Villas at Centrum, a mixed-use project combining approximately 11,508 square feet of retail/office space and 8 residential condominiums on 2.23-acres, located at 220 Sunset Drive. The subject property is currently zoned C-1 (General Commercial) and RM-2 (High Density Multi-family Residential). The property is further identified as Assessor's Parcel Number: 408-26-030C. Applicant: Gary Muise/Eagle Cliff Development. Case Numbers: DEV2008-2 & SUB2008-2

Nick Gioello indicated that the applicant had tried to address many of the concerns expressed in the last public hearing, and has made some changes to the project as shown on pages 10 and 11. He listed them so the Commission could look at the two sets of drawings to see the changes that were made. Additionally, the sidewalk is now back in, but it stops 40 ft. short of the southwest corner of the property. Andy Dickey explained that part of the reason for 40 ft. was to allow room for when they relocate that utility, so we don't end up with a lot of tear out.

COMMISSION'S QUESTIONS AND COMMENTS:

The Vice Chairman asked if there are plans to redo those utilities and Andy indicated that there have been discussions with the utilities and it may be something that could be done eventually, but it wasn't something we were going to require the developer to do. The developer is providing an easement at the southwest corner of the property; there actually has been one there all along, so the utility can be relocated. The Vice Chairman then asked what it is and Andy explained that it is a booster pump where the two water companies come together with a differential between the two systems, so it allows them to use each other. Nick added that it is only intended for emergency purposes.

Commissioner Losoff indicated that the revised Letter of Intent dated April 12th would be a great model for every project. They took down all of our questions and answered most of them; he can't say he agrees with everything they said, but the way it was presented was excellent. He still has concerns about two issues; one is the phasing on page 13 of the Letter of Intent, because if we followed that phasing, it could be from five to seven years. He then asked how that meets with our criteria and Nick explained that a timeframe in the Conditions was given that was different; however, the timeframes are geared from when they pull the permit, and after that, as long as they are making progress, the permit remains active. Staff didn't see it as practical that they would be constructing for four years, while they are also trying to put businesses in some of the buildings. He is not certain that the timeframes they listed is how it would actually be.

The Commissioner suggested that we put it in the Condition the agreement that we would be approving, so it is in writing. He would think three to five years, because going out five to seven years would be a long time, so he would like for there to be more information on that issue. Secondly, regarding the viewshed, throughout the response, they reference the Design Manual and talk about specifically, Section 2.4.4, where it talks about it being recognized that developing a previously undeveloped site will intrude on adjoining developments, and it is used as a rationalization that they aren't expected to be designing a project that best protects the views, but all of Section 2.0 talks about site analysis and viewshed, and they are referencing one small paragraph out of that entire section that talks about views from the site. First, he would ask if they have actually gone on the neighbors' properties and looked to see what their viewshed could be once the buildings are built and if there are going to be some blockages, could they do something about them; he doesn't know if the grade is low enough to offset the higher buildings from the view of the existing residents.

Commissioner Taylor indicated that a general question is if the Commission generally doesn't get the actual plans of the buildings; these plans show all of these commercial buildings, but there are no plans for the inside of the buildings. Vice Chairman Griffin explained that the Commission doesn't deal with the inside; however, Commissioner Taylor indicated that we do, when we look at the outside, and as an architect, it is hard for him to look at an elevation without knowing why the door is in the middle of the wall. Nick explained that these are commercial condos, so what they show on the Preliminary Plat is the division of the airspace,

and they don't know who will be in the units or what the configuration will be, because that is left to whoever purchases it to design the inside they way they want to use it. The Commissioner then referenced the offset of the second floor, where it comes out over a space underneath that has to be treated somehow, because there are no doors. It is just an overhang with piers holding it up, so it is arbitrary and they must have decided to do that for massing, because they don't know what the floorplan will be. The Commissioner then asked if staff never saw plans for the inside of the buildings and Nick said no, we generally never do.

Commissioner Taylor stated okay and indicated his specific question is if the ramp from Sunset Drive into the parking area is a handicap requirement. Andy Dickey explained that they don't have to connect to the sidewalk; it is probably more of a business decision, but once they do connect, it has to be ADA compliant. The Commissioner indicated that the long ramp dumps the people into the street, they don't come down into a sidewalk, and if they want to go to Building A, they have to go down the street and through the parking areas to get to Building A or B-1, so why don't they just go in next to the next door building and go down through the parking lot? Andy clarified that the Commissioner is talking about the switchbacks and that is to meet ADA; once you connect to the public sidewalk, it needs to be ADA compliant.

Vice Chairman Griffin asked if the ruling is that it doesn't have to be ADA, but if it is connected to a sidewalk, then you have to have it, and Andy confirmed once they connect, it has to be ADA compliant. Nick indicated his understanding is if you don't connect the sidewalk to the public sidewalk; however, wherever you have an ADA space, from that point, it has to be ADA to whatever buildings. When you connect to the sidewalk, you have just expanded the ADA requirement out to however you get to our ADA sidewalks. Commissioner Taylor asked if that ramp is less steep than the entrance drive, and the Vice Chairman indicated yes and Andy explained that once you are over 5%, you have to have landings, etc.

Commissioner Taylor asked why we have the sidewalk ending 40 ft. from the end of the property and what purpose it serves. Vice Chairman Griffin and Commissioner Soutenet explained that the Commission had quite a discussion on that in the last meeting. Nick then explained Engineering's original position of eliminating the sidewalk, but after the previous meeting, it was decided that it was better to get some of the sidewalk now, because the pump will be moved in the future, and the City would probably end up connecting that sidewalk to that driveway, within the street right-of-way, so the thinking was it was better to do this now than have the City do it all in the future.

Commissioner Eaton added that the thinking was that at least this far, they could walk on the sidewalk instead of in the street or rough ground. The Commissioner then indicated that the Commission has looked at this job a number of times over a number of years and every time we have discussed the use of more stone, but the only additional stone is about two inches where the little two foot pedestal is flared out at the bottom. He would still like to see more stone, and this looks unusual; they have added a darker color in parts that stick out, where usually darker colors are used on parts that are recessed. It kind of looks like a Fort Dearborn blockhouse in the north elevation of Building A. If that was a lighter color, and the center of the north elevation was the darker color, it would make more sense to him. He is also disappointed at the miniscule number of changes that have been made, after all of the meetings we have had.

Commissioner Soutenet indicated that he concurs with Commissioner Losoff on the viewshed analysis, and he would question how the residential part of the development, which is impacting the view from Casitas Tranquil, was designed with Alternate Standards that

aggravates the view consideration from the neighbors' property. Commissioner Soutenet then asked what the implications would be if Alternate Standards had not been applied. Nick stated that it would be lower; the Commissioner added the view would be better and Nick indicated potentially, but he is not certain how much of an impact it is. He will try to determine that tomorrow on site. Nick then explained that Alternate Standards are part of the Height Code, and when they use it, they have to do other things with the colors and massing. Commissioner Soutenet indicated that he understands that they can use all of the tools available; the code being one and the review manual being another, so which one wins. He doesn't think the viewshed is being addressed in this situation.

Commissioner Soutenet then referenced the way the development was designed with no respect to the topography of the watershed and indicated that he thinks there is a lack of regulation that would manage existing watersheds within the community. To allow developments to essentially pipe a whole section of the floodway, which he agrees is not addressed in the code; it is lacking somewhere. John O'Brien asked if the Commissioner is saying that is a bigger issue, and the code needs to be looked at to prevent this situation. The Commissioner indicated that is right and added that in this case not only the culvert is a poor decision, but the impact downstream, and the fact that the culvert on the neighboring property is not up to standard; there is no way for the City to create a continuum in the standards in the watershed; that is also lacking.

David Peck explained that regarding the two smaller culverts, they almost act like low water crossings, where there is a dipped section in the road. Those culverts were never meant to handle all of the water. They fill, and then the water goes over the top of the road, just like it does at the crossing just north of the project.

Commissioner Taylor indicated that the casitas are very low, with one-story places, so it is hard for him to imagine how you could develop this site and not impact their views. Commissioner Soutenet agreed and indicated they are obviously within the flood zone, and it is interesting to notice that part of the floodplain shows three floodplain lines. He didn't know which one was used to determine the sizing or engineering of it; one is the FEMA plan, another is from Coconino County and one is from ACC. Andy explained one is the floodway boundary at the north end, and that is the area determined to be required for capacity for the wash, so to basically model the wash, you push the water up by a foot and determine the floodway in that way. If you were going to build in here without engineering, once you determine the floodway, you can build up to that legally, without having a capacity analysis done. Once you go into the floodway, you have to have extra engineering done. Another boundary shown is just south of that and it is the 100-year floodway boundary per the City of Sedona. What you are seeing in the difference is SEC has remodeled this, and they are showing the difference between their study and the study done in 1994 through the City's study. The next one is the floodplain boundary that is the outside extent of the 100-year water surface. When you map that through per your model, that is the outside boundary of your floodplain, and that one is as modeled by SEC. The one below that is the 1994 City of Sedona study boundary, and the difference between those is what is called the "flood fringe" and you can build within a flood fringe.

Commissioner Soutenet indicated that to him it is again a situation where the code has been applied to the letter and the principles that are in the manual aren't really being applied to the letter. He doesn't see how the topography is being respected or how the planning of the development takes that aspect into consideration, so it is not being addressed, and that is his

only objection to the project. Andy explained that from Engineering's perspective, we go off of the Land Development Code, so it is not in there.

Vice Chairman Griffin pointed out that they have a right to develop it; there are ideas in the Design Review Manual that would be nice to follow, but they do have the right to develop the property, and when you are looking at a project next door that is 40-years-old and single story, he also doesn't know how you could possibly build a building and not block someone's view corridor looking across trying to see a distant mountain. It is like when a homeowner builds and puts a window facing the lot next door, and then someone builds next door. There is a certain right to develop your property and that is why we have the setbacks and try to break up the masses. Commissioner Soutenet indicated that he is pointing out that when there is a choice, usually the code wins and the design principles are left behind and he thinks that is a fair assessment. The Vice Chairman agreed, because one is an enforceable code and one is guidelines that we would like to have followed, if possible.

Commissioner Taylor indicated that since the developer was able to develop plans showing windows and doors in certain places on the elevations, they must have a plan in mind, but if it is a building that is flexible, then he assumes that they can't move those windows and doors, once the Commission has approved these elevations. John O'Brien explained that there is some level of flexibility, but the first Condition of Approval says that the plans need to substantially reflect the plan that was approved. If a window is moved a foot, then it isn't a big deal, but if they are moving a window 6 ft., then it is a big deal. It is really a subjective consideration. The Commissioner noted that the Commission has belabored the elevations in this case, so if there is a tenant later that wants to move all of the doors and windows . . . John O'Brien explained if it is a substantial change, they have to come back through and staff deals with those situations all the time. Nick referenced bringing L'Auberge back as an example.

Commissioner Losoff indicated that from the very beginning, the Commission has raised various issues, and in the Letter of Intent, they say like on the viewshed, that the project cannot be, or be expected to be, redesigned to address this concern, and he would expect a reasonable developer to try to address that and not just stonewall and say it can't be done. He is not an architect or engineer and he knows there are grading issues, and that people move in and build a building with open space and four years later, somebody builds on top of them, and that is the new developer's right, but there should be some concerns for the existing building, because we talk about it in the design manual, and say an effort should be made to address those issues and not just say it can't be done. He would ask that the Commission look at this on Tuesday to see if they have looked at some alternatives -- not just pushing things back, but maybe relocating it on the site. More importantly what are the neighbors going to see when they look out? One developer addressed that wonderfully; he stood in their backyard and changed the project. They have a right to develop it, but they also have a right to be good citizens.

Vice Chairman Griffin referenced mention of the piers going to 46 inches, but he has an issue like with Pro-Build, when we discussed rock piers and specified 24 inches in the Conditions of Approval, they ended up as 16-inch piers, so he doesn't know what we need to do to ensure the details that we are concerned about don't get lost. Additionally on the landscaping, there is a note on page 16 that talks about the architect addressing the sizes of the plants, but he doesn't know where that is addressed. He also has an issue on Building D that faces Sunset, because there are no evergreens shielding that building, so he would like for the Landscape Architect to see if some of the plants can be switched around to put evergreens in front of there.

Commissioner Soutenet indicated that when some architects start a new development in Sedona, they present where the red rock views are from each window of the development on the site plan, and it should be applied in the same way to the impact on the view from other properties when a proposal is submitted, as a way to analyze it, because that is what is lacking. Vice Chairman Griffin asked about when the project hasn't been built and if that would allow them to go in and build without . . . Projects change and Tranquil is at least 40-years-old and could be remodeled eventually. The Vice Chairman pointed out that when there isn't a project next door, there is a viewshed from that property that isn't established. Commissioner Soutenet indicated that the manual says it is the view from the property and into the property, and there would still be a property there. Commissioner Losoff added that it states view corridors and properties surrounding the site as well as from the site, so it is both ways.

Vice Chairman Griffin indicated that is another lengthy discussion as to what are the rights of the developer to develop the property and how exactly view corridors are determined, and that is probably an important discussion to have. Commissioner Soutenet indicated that the point is that the view is being addressed, and in this case, he doesn't see that it has been addressed, on the contrary, Alternate Standards were established, which actually aggravated it.

Note: John O'Brien provided the Commission with a Letter of Intent from the NAU class for their presentation Tuesday night.

4. PowerPoint presentation on the Community Plan Update by Long Range Planning Division (15 minutes 4:50 – 5:05)

Mike Raber indicated that this PowerPoint is being shown as a follow-up from the last meeting and explained that Arizona state law requires that all cities' and towns' General Plans be updated at least every 10 years. Sedona's Community Plan needs to be adopted by the end of 2012 and voted on by the end of 2013. The Community Plan is the General Plan required by state law and lays the groundwork for future management of our growth. It is a statement of community goals, development policies and what we consider our roadmap to achieve our objectives in the future.

It is not a zoning map or an ordinance, and it doesn't have that regulatory power, but any rezoning has to be consistent with the plan, so it does guide us. The two kinds of recommendations in the plan are policies and actions; an example of a policy is that we support retaining the National Forest lands that surround the community and are within the City limits, and that is important, because keeping our residential land base as it is, is also consistent with the forest plan, known as Amendment 12. We have worked together on those things to have a consistent policy about growth into the National Forest. Another example of a growth policy is that we not increase our overall density. When we started as a City, we inherited the zoning from the counties, which set the stage for how much growth would occur within the City, so we want to maintain that. It doesn't mean that the uses and densities might not be adjusted within the City limits, but the overall impact remains the same. Some example of action items are in the plan too. New regulations and ordinances adopted about 5 years ago included an allowance for residential units in Commercial zones and we called it Mixed-Use Development, which was advocated by the Community Plan and followed through with an ordinance to achieve. An example of specific planning programs would be like doing a specific plan on the West Sedona Commercial Corridor, which is supported by the Community Plan, and is an example of a more detailed planning effort that would be a follow-up to our plan. Regarding priorities in funding, the Community Plan also discusses capital improvement programming, including things like road connections, and an example would be the connection between Roadrunner and Dry Creek Road.

As background to the planning efforts in the community, Sedona incorporated in 1988 and one reason was to control its own destiny. One of the first priorities was to adopt a General Plan and the Community Plan was adopted in 1991, updated in 1998 and 2002, and the first time the plan was voted on by the citizens was in May of 2003, which was in response to legislation recently passed. Each update of the plan lets us look at how to address new issues or conditions that have changed, and the last update was about a 2-year process, plus another 5 months leading up to the citizens voting. We are anticipating a similar timeframe for this update.

There are four basic phases; first is issue identification and that is through the rest of this year to ensure we are clear on what issues need to be addressed in this update. Next is how we are going to address those issues and give the community the proposed solutions to the problems and issues raised, while making sure we give them ample time to provide feedback and that we have time to make adjustments before putting a draft plan together. The latter half of next year would be spent going through the public hearing process, which requires public hearings before the Planning & Zoning Commission and the City Council. Typically, there are a number of public hearings conducted with the Commission, and in the last update there were several with the Council as well.

The City Council makes the final decision on the plan that will go to the voters, but to put it on the ballot, they have to have a two-thirds majority vote of the Council. Then, the voters have the final say of yes or no on the plan adopted by the Council. Vice Chairman Griffin asked what happens if it is voted down by the citizens and Mike explained that it helps if you know why, so you can take action to readdress that immediately, and then take it back through the public hearing process, instead of starting over. Other Arizona communities have failed; Camp Verde's attempt failed, but they put it back on the ballot quickly. Beth indicated she thinks it was in less than a year, but they had an issue they could address. Mike indicated that Bullhead City's failed the first time and there were some others. Making the attempt within the timeframe is what the statute really requires. There isn't any provision if it fails; you just go back and try again.

Mike explained that public participation is the key to all of this, especially in its success in going to the voters, and this will be ongoing through the next couple of years. We will have many opportunities provided for people to provide input into the plan; it is really a collaborative effort between the residents, community groups, Commissions, Council and other stakeholders. Staff has been active in the community, and we previously won two Public Participation Awards from the Arizona Planning Association, one in the first community plan and another in the last update, because we have been a very active community, and it is certainly easier to figure out what the issues are and what people are thinking.

Today, about 49% of the area in the City limits is National Forest and the population as of 2009 was 11,400. We are growing about 1.2% per year over the last 8 or 9 years. If you contrast that to the previous 11 years, we were at about a 3.2 % average, so it is a pretty dramatic slowdown. Over the last 20 years, Sedona has been the slowest growing in the Verde Valley, except Jerome. This is often not understood well, because people who live in the Village have experienced a completely different growth picture until recently. The Village of Oak Creek grew much more rapidly during much of that period. Commissioner Taylor asked if costs are a big factor and Mike indicated he thinks that has a lot to do with it.

Mike explained that we are about 71% built out residentially and 83% built out commercially; in the future, we expect to have about 16,000 full-time residents once the City is built out, but the year for that has been pushed further away, because the growth has slowed down. At one time, we thought we would be built out by 2020, but it is pretty obvious that it will be quite a bit further out

than that. Mike then showed pictures to demonstrate what has happened over 70 years of growth, but indicated that over the next 20 to 30 years, we probably won't see anything that dramatic.

Through all of the updates, we have had a Vision Statement in the plan that has stayed pretty well together through all of the updates, and the citizens so far have embraced this vision: "To be a City that is constantly vigilant over the preservation of its natural beauty, scenic vistas, pristine environment and cultural heritage. To be a City that retains its small town character and creates its manmade improvements in strict harmony with nature. To be a City that is animated by the arts and lives with a spirit of volunteerism to help achieve our common goals. To be a City that offers equal opportunities for all and fosters a sense of community. To be a City that welcomes and accommodates all of its visitors and future residents with a spirit of fellowship. To be a City that retains and enhances a strong and vital economy, which preserves existing lifestyles without exploiting the natural beauty. To be a City that lives up to the challenge of proper stewardship of one of the Earth's great treasures."

We have also tried to define that in terms of a couple of growth policies that really answered that vision. We had to describe what it is through the Community Plan that really is the vision for the community in a very big picture sense, and one would be that we want to stay small and not sprawl into the surrounding area; we want to retain our public lands, so we can keep our natural resources together, which is why people want to move here and it is also what supports our economy, and staying small is a big part of the vision. The other is to fill-in what we have and not intensify that, and we discussed earlier the idea of keeping the same kind of capacity that we started with.

Some of the top priorities in the last update were widening Hwy. 179, preserving open space and the National Forest, community character and local needs, which was a concern about needing to pay attention to what the local residents' needs were. The balance of lodging and timeshares in the community, plus a concern about timeshares being able to pay their own way was another concern as well. Part of that was an education process about the fact that we have Development Agreements to get the timeshare developments to pay their way, not necessarily how the plan responded to that, and he is considering talking about how many timeshares have been approved since the last update. There have only been 8 or 10 units approved and no new development. The other one that talked about environment was mainly water resources and conservation.

There are a couple of preliminary goals for this plan document and there is a working team devoted to those, one is having a more user-friendly document that is more streamlined, and another is having a strategy that the action program is well thought out and we don't list actions, if we don't think they can be implemented.

Some of the issues identified so far include sustainability, and since the community and the City is devoted to making this community more sustainable, we need to ensure the Community Plan addresses that issue to the fullest extent it can. Housing has been in the forefront quite a bit; we have a Housing Commission now and the Housing Policy, so many things occurred on this issue since the last update, and this is an area we will have to pay attention to. An Annexation Policy is another one; the City doesn't have any plans to annex anything, but having a policy in place on what we would do if we tried to make a decision on that might be a good thing to have, so evaluating if we want a policy in the plan is the reason for that item. The character of the West Sedona Corridor is giving us some direction, and hopefully with input from the community on the values for the West Sedona Corridor, we can move in the direction needed with the Community Plan to pursue a more detailed plan that would provide more predictable outcomes.

At this point, staff would normally ask for feedback from the community on what the people feel are the key issues, and then we give a number of ways for people to provide input. In addition to comment cards and the City's website, we have monthly meetings, working team meetings, and the upcoming community meetings, with more meetings in the fall. Commissioner Soutenet asked if there is a page on the City's website dedicated to input and Mike indicated yes and explained that the presentation is on the site too, and staff has also shown the presentation to the media.

COMMISSION'S QUESTIONS AND COMMENTS:

Commissioner Taylor asked if staff has data to reasonably predict what kind of services a town of 11,000 - 16,000 could support and Mike explained that there is some statistical information, but when you are dealing with a community that is focused on tourism, it throws that balance out a little bit, so we aren't really like some more typical communities in that respect, but we can check that. The Commissioner indicated he is thinking of the corridor and how much more commercial space or service space can we support. Mike indicated we can look at that, but it is getting that development to locate here that is the challenge; we don't have a lot of incentives to entice certain developments. Commissioner Losoff stated that would be a subject for the working team.

Commissioner Losoff asked if the Commissioners thought the presentation hit the right note, etc. Vice Chairman Griffin indicated that it was a very good introductory presentation, because you have to start at the beginning, so this was perfect. Commissioner Taylor explained he wasn't reacting to the presentation; now is the time to gather the data needed, so you can tell people that we aren't going to have Macy's here with a population of 15,000.

Commissioner Losoff mentioned that there will be a facilitator for the public meetings and Mike added that Judith Keene will be the facilitator, which will help a lot. Commissioner Soutenet asked if the Commission had made sure that one of the Commissioners would be at the meetings and staff confirmed that the Commission had talked about it.

Note: Kathy advised the Commission that their second meeting in May would be in Council Chambers at 3:30 p.m. and Nick indicated comments on the NAU project could be forwarded to staff, if necessary, and there is a revised agenda for Tuesday's meeting.

5. Adjournment. (5:05)

Vice Chairman Griffin called for adjournment at 4:57 p.m., without objection.

I certify that the above is a true and correct summary of the work session of the Planning & Zoning Commission held on April 29, 2010.

Donna A. S. Puckett, *Recording Secretary*

Date